

House Amendment 1110

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1 1 Amend House File 197 as follows:
1 2 #1. By striking page 1, line 26, through page 3,
1 3 line 14.
1 4 #2. Page 4, line 2, by striking the word
1 5 <request₁> and inserting the following: <request>.
1 6 #3. By striking page 7, line 32, through page 8,
1 7 line 28, and inserting the following:
1 8 <DIVISION ____
1 9 CHILD SUPPORT RECOVERY UNIT COLLECTIONS FEES
1 10 Sec. _____. Section 252B.5, subsection 13, paragraph
1 11 a, Code 2009, is amended to read as follows:
1 12 a. Beginning October 1, 2007, implement the
1 13 provision of the federal Deficit Reduction Act of
1 14 2005, Pub. L. No. 109=171 } 7310, requiring an annual
1 15 collections fee of twenty=five dollars in child
1 16 support cases in which the family has never received
1 17 assistance under Title IV=A of the federal Social
1 18 Security Act for whom the unit has collected disbursed
1 19 at least five hundred dollars. ~~After~~ When the first
1 20 five hundred dollars in support is collected disbursed
1 21 in each federal fiscal year for a family, the fee
1 22 shall be collected from the ~~obligor obligee~~ by
1 23 retaining twenty=five dollars from ~~subsequent~~
1 24 ~~collections disbursements to the obligee.~~ If five
1 25 hundred dollars but less than five hundred twenty=five
1 26 dollars is collected disbursed in any federal fiscal
1 27 year, any unpaid portion of the annual fee shall not
1 28 accumulate and is not due. ~~Any amount retained to pay~~
1 29 ~~the twenty=five dollar fee shall not reduce the amount~~
1 30 ~~of support due under the support order.~~ The unit
1 31 shall send information regarding the requirements of
1 32 this subsection by regular mail to the last known
1 33 address of an affected ~~obligor or~~ obligee, or may
1 34 include the information for an obligee in an
1 35 application for services signed by the obligee. In
1 36 addition, the unit shall take steps necessary
1 37 regarding the fee to qualify for federal funds in
1 38 conformity with the provisions of Title IV=D of the
1 39 federal Social Security Act, including receiving and
1 40 accounting for fee payments, as appropriate, through
1 41 the collection services center created in section
1 42 252B.13A.
1 43 Sec. _____. Section 252B.5, subsection 13, paragraph
1 44 c, Code 2009, is amended by striking the paragraph and
1 45 inserting in lieu thereof the following:
1 46 c. Until such time as a methodology to secure
1 47 payment of the collections fee from the obligor is
1 48 provided by law, an obligee may act pursuant to this
1 49 paragraph to recover the collections fee from the
1 50 obligor. If the unit retains all or a portion of the
2 1 collections fee imposed pursuant to paragraph "a" in a
2 2 federal fiscal year, there is an automatic nonsupport
2 3 judgment, in an amount equal to the amount retained,
2 4 against the obligor payable to the obligee. This
2 5 paragraph shall serve as constructive notice that the
2 6 fee amount, once retained, is an automatic nonsupport
2 7 judgment against the obligor. The obligee may use any
2 8 legal means, including the lien created by the
2 9 nonsupport judgment, to collect the nonsupport
2 10 judgment.
2 11 Sec. _____. CHILD SUPPORT COLLECTIONS FEE ==
2 12 METHODOLOGY. The department of human services shall
2 13 seek a federally approved, cost=effective methodology
2 14 to secure payment of the collections fee imposed
2 15 pursuant to section 252B.5, subsection 13, paragraph
2 16 "a", from the obligor. The department shall report
2 17 options for such a methodology to the general assembly
2 18 by December 15, 2009.
2 19 DIVISION ____
2 20 CHILD SUPPORT COLLECTIONS INTEREST
2 21 Sec. _____. INTEREST ON CHILD SUPPORT COLLECTIONS.
2 22 The department of human services shall perform a
2 23 cost=benefit analysis of calculating interest on
2 24 overdue child support payments enforced by the child

2 25 support recovery unit. The department shall report
2 26 its findings to the general assembly by December 15,
2 27 2009.>
2 28 #4. Title page, by striking lines 3 through 6 and
2 29 inserting the following: <support of a child under a
2 30 support order, protection of child support
2 31 information, annual collections fees, and the
2 32 potential charging of interest on overdue child
2 33 support payments, and providing an effective date>.
2 34 #5. By renumbering as necessary.
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2 39 HF 197.202 83
2 40 pf/rj/11705